IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

FRIDAY, THE 20TH APRIL 2007 / 30TH CHAITHRA 1929

Crl.Rev.Pet.No. 4512 of 2006()

CRA.224/2006 of SESSIONS COURT, KOZHIKOE
CC.99/2005 of JUDL. MAGISTRATE OF FIRST CLASS-II, PERAMBRA

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REVN. PETITIONER/APPELLANT/ACCUSED:

P.K.KUNHIRAMAN, S/O.CHEKUTTY,
PERAMBRA KUNNUMMAL HOUSE, THANDORAPARA P.O.,
KAYANNA VIA, KOZHIKODE.

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS/RESPONDENTS/COMPLAINANT & STATE:
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1. ABDURAHIMAN.V.M.,
S/O.ALIKUTTY MUSALIAR, KARUKULATHIL HOUSE,
KADIYANGAD P.O., PERAMBRA.

2. STATE OF KERALA,
REP.BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY ADV. SRI.P.V.KUNHIKRISHNAN
ADV. SRI.CIBI THOMAS
R2 BY PUBLIC PROSECUTOR ADV. SHRI K.S. SIVAKUMAR.

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 20/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.T. SANKARAN, J.

Crl.R.P.NO. 4512 of 2006

Dated this the 20th day of April,2007

O R D E R

The petitioner was found guilty for the offence under Section 138 of the Negotiable Instruments Act and he was convicted and sentenced thereunder. On appeal by the accused, the Appellate Court confirmed the conviction and sentence and dismissed the appeal. The accused has come up in revision challenging the conviction and sentence.

2. Crl.M.A. No.4901 of 2006, signed by the complainant and the accused and their counsel, filed under Section 147 of the Negotiable Instruments Act, was allowed.

3. Accordingly, the judgment in C.C.No.99 of 2005, on the file of the Court of the Judicial Magistrate of the First Class II, Perambra, which

was confirmed in Crl.A.No.224 of 2006 by the Court of Session, Kozhikode Division and the conviction and sentence thereunder are set aside and the petitioner is acquitted under Section 320(8) of the Code of Criminal Procedure.

(K.T.SANKARAN)
Judge

ahz/

K.T. SANKARAN, J.

Crl.M.A.NO. 4901 OF 2007
in
Crl.R.P.No. 4512 of 2006

Dated this the 20th day of April,2007

O R D E R

This is a joint petition filed by the petitioner/accused and the first respondent/ complainant stating that the disputes between the parties have been settled. The offence involved in this case is under Section 138 of the Negotiable Instruments Act. The application is allowed under Section 147 of the Negotiable Instruments Act.

(K.T.SANKARAN)
Judge

ahz/